

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Margaret Lynn Bishop and Shunda)
Marlena Hamer,)
)
Plaintiff,)
)
vs.)
)
Swift Transportation Co. of Arizona, LLC,)
)
Defendant.)
_____)

Case No.: _____

DEFENDANT'S NOTICE OF REMOVAL

Defendant Swift Transportation Co. of Arizona, LLC (hereinafter "Defendant"), respectfully submits this Notice of Removal to the United States District Court for the District of South Carolina, Spartanburg Division.

In support of removal, Defendant shows the following:

1. Plaintiffs Margaret Lynn Bishop and Shunda Marlena Hamer filed a civil action against Defendant in the Court of Common Pleas of and for Spartanburg County, South Carolina, on May 10, 2017, docketed as Civil Action No. 2017-CP-42-01652.
2. This Notice of Removal is filed in the United States District Court for the District of South Carolina, Spartanburg Division, within the time allowed by law for removal of civil actions.
3. A copy of all process and pleadings served upon Defendant is attached hereto as Exhibit 1 in accordance with 28 U.S.C. § 1446(a).
4. This action is removable to this Court pursuant to 28 U.S.C. §1331 (federal

question jurisdiction) because one or more of Plaintiffs' claims arise under the laws of the United States, specifically including the Fair Labor Standards Act, 29 U.S.C.A. § 201, *et seq.*

5. This Notice of Removal is being filed within thirty (30) days of receipt of the Summons and Complaint in accordance with 28 U.S.C. §1446(b).

6. A copy of this Notice of Removal is being filed with the Clerk of the Spartanburg County Court of Common Pleas and served upon Plaintiffs' counsel of record, as required by 28 U.S.C § 1446(d) and Local Civil Rule 83.IV.01 DSC, is attached hereto as Exhibit 2.

WHEREFORE, Defendant pray that the action now pending in the Spartanburg County Court of Common Pleas be removed to the United States District Court of the District of South Carolina, Spartanburg Division.

Dated this 14th day of June, 2017.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: s/Charles E. McDonald III
Charles E. McDonald III (Fed ID 6767)
David L. Harris, Jr. (Fed. ID 12040)
300 North Main Street, Suite 500
Greenville, South Carolina 29601
Phone: (864) 271-1300
Fax: (864) 235-4754
chuck.mcdonald@odnss.com
david.harris@odnss.com

Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2017, I electronically filed the foregoing ***Defendant's Notice of Removal*** with the Clerk of Court using the CM/ECF system, and that a copy has been electronically served via CM/ECF on Plaintiff's counsel of record:

Jeremy R. Summerlin
The Horton Law Firm, P.A.
307 Pettigru Street
Greenville, SC 29601
jsummerlin@hortonlawfirm.net

Thomas J. Thompson
Townsend & Thompson
210 West Laurens Street
Laurens, SC 29360
tandt@backroads.net

s/Charles E. McDonald III
Charles E. McDonald III

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